

TOWN BOARD MEETING AGENDA

February 20th , 2001

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
Philip Cardinale, Councilman**

**Christopher Kent, Councilman
James Lull, Councilman**

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Diane M. Stuke
Richard Ehlers
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**John J. Hansen
Leroy Barnes
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief Joseph Grattan
Jane Vanden Thoom
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Recreation Department
Senior Services
Sanitation Department
Sewer District
Water Department**

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of February 6th
2001, moved by Councilperson _____,
seconded by Councilperson _____.

CONGRATULATIONS TO DAVID ANDRUSZKIEWICZ (A TO Z) AS
THE CIVIC EMPLOYEE OF THE YEAR 2000.

CONGRATULATIONS TO ALICE ROLFES AS EMPLOYEE OF THE
YEAR 2000.

REPORTS

Tax Receiver: Total Collections to Date: \$35,787,208.68

Rhd Industrial
Development Agency: Adopted Budget of 2001

Animal Control: Statistics from Jan. 01 to Jan. 31, 2001-02-16

Recreation Dept. Monthly Report for Jan. 2001-02-16
Total collected: \$6,935.00

Juvenile Aid Bureau: Monthly report for January 2001

Open Bid Reports: Suffolk Theatre Renovations-Opened: 2/16/01

General Construction-3 Bids

1. NRI Construction-\$1,537,993
2. Larsen & Sons-\$1,860.00
3. Stalco Construction-\$1,931,620.00

Plumbing-

1. Hirsch, Inc.-\$198,533.00
2. WHM Plumbing- \$335,275.00

Audio/Visual-Two Bid Received

1. Commander-\$155,000.00
2. Paul bagin Productions-\$197,465.00

Mechanical: 4 Bids Received

- Dominion Contracting-\$447,800.00
- Sav-Mor Contracting-\$482,000.00
- Astro-Air Corp.-\$507,000.00
- Fleet Mechanical-\$627,121.00

Electrical-3 Bids Received

- Commander -\$723,216.00
- McDowell Electric-\$727,596.00
- DiFrancia Electric-\$988,200.00

Decorative Painting-One Bid Received

- Evergreen-\$214,900.00

REPORTS CONTINUED:

Shade Tree Acres-Opened: 2/15/01 @ 11:00 a.m.
Seven Bids Were Received

- | | |
|--------------------------------|-------------|
| 1. Roy Wanser, Inc. | \$30,327.50 |
| 2. Alessio Pipe & Construction | \$32,437.50 |
| 3. Bove Industries | \$34,733.50 |

APPLICATIONS

Parade Permit: Charlie to Australia 2001-4/21/22/01-8 a.m. to 5 p.m.
301 Rabbit Run

Jamesport Fire Dept.-7/11/01-6:30 p.m.

Shows & Exhibition Permit: Ray Kelly-1st Annual Riverhead River Festival &
Boat Show-June 9, 2001-8 am to 6 pm

Site Plan: Traditional Links, LLC (Friar's Head Farm)-Construct a golf
Course.

Special Permit: Fox Hill Golf, Resort & Country Inn-Construction of 50 Suite
Country Inn, with parking, tennis courts, swimming pool,
Gazebo and putting green.

CORRESPONDENCE

Petition: 96 Residents of Reeves Park objection to the group home at 7 Eight
Bells Road.

Carla D'Esposito: Re: The need for a House of Hospitality in the Town.

COMMITTEE REPORTS

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PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:
Community Development Agency Meeting:

#3 Amends CDA Resolution #22 of September 5, 2000
Authorizing Chairman to execute License Agreement with
Kamco Supply Company

#4 Authorized Publication of Notice

Regular Town Board Meeting:

#177 Declares Lead Agency and Determines Significance of Lease
to Altitude Express

#178 Amend Resolution #104 to the Riverhead Recreation
Department

#179 Amend Resolution #105 to the Riverhead Recreation
Department

#180 Amend Resolution #106 to the Riverhead Recreation
Department

#181 Amend Resolution #107 to the Riverhead Recreation
Department

#182 Appoints Recreation Aide to the Riverhead Recreation
Department (C. Koroleski)

#183 Appoints Recreation Aide to the Riverhead Recreation
Department (J. Cook)

#184 Appoints Recreation Aide to the Riverhead Recreation
Department (D. Joel)

#185 Appoints Seed Clam Administrator (D. Lessard)

#186 Appoints Provisional Grants Coordinator (J. Lum)

#187 Appoints Public Safety Dispatcher I (R. Miller)

#188 Appoints Part Time Dog Control Officer (W. Buttafuoco)

#189 Appoints Automotive Equipment Operator to the Riverhead
Town Highway Department (A. Fogal)

- #190** Appoints Automotive Equipment Operator to the Riverhead Town Highway Department (C. Grzegorzczuk)
- #191** Appoints Interpretation Consultant for Police Department and Justice Court (Z. Piegari)
- #192** Authorizes the Release of Performance Bond for Quest- A. Lawrence Gallasso
- #193** Authorizes the Release of Performance Bond for Tanger Properties, LTD Partnership (Polo)
- #194** Accepts S.C.N.B. Irrevocable Letter of Credit of Country Vue Estates at Wading River (Road & Drainage Improvements)
- #195** Authorizes the Release of Performance Bond of Peconic Bay Golf
- #196** Authorizes the Release of Performance Bond for Nextel
- #197** Authorizes the Release of Performance Bond of Baiting Hollow Commons, Fred Terry
- #198** Authorization to Publish Bid for Snack Vendor Services
- #199** Authorizes the Supervisor to Execute Department of the Army Permit (Iron Pier Beach Improvement Project)
- #200** Authorizes the Supervisor to Negotiate and Execute Contract of Sale in Connection with the Congregation of the Jehovah Witness Church, Aquebogue, NY
- #201** Authorizes the Attendance of a Police Officer at a Stop DWI Training Conference
- #202** Authorizes Attendance of Assessor At Seminar
- #203** General Fund Budget Adjustment
- #204** Community Development Agency- Calverton Budget Adjustment
- #205** Highway Department Budget Adjustment
- #206** Business Improvement District Budget Adjustment

- #207** Accepts Resignation of Detention Attendant in the Police Department (J. Jacobs)
- #208** Accepts Resignation of Detention Attendant in the Police Department (L. Cozell)
- #209** Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (73 Sigal Avenue)
- #210** Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (54 Millbrook Lane)
- #211** Authorizes Town Clerk to Publish and Post Public Hearing Notice to Consider the Demolition of Building(s) Owned by Ralph Naso Pursuant to Chapter 54 of the Code of the Town of Riverhead Entitled, "Unsafe Buildings and Collapsed Structures."
- #212** Authorizes Town Clerk to Publish and Post Notice of Public Hearing- Special Permit- Sound Housing, LLC (Willow Ponds on the Sound)
- #213** Adopts a Local Law to Amend Chapter 101 Entitled, "Vehicles and Traffic" of the Riverhead Town Code
- #214** Adopts a Local Law Adding a New Chapter 94 Entitled, "Tobacco Advertising" to the Riverhead Town Code
- #215** Amends Resolution #774 and Ratifies Appointment of a P/T Recreation Aide to the Riverhead Recreation Department (S. Darling)
- #216** Authorizes Town of Riverhead to Transfer Surplus Ambulance to Mattituck Fire District
- #217** Amending Resolution #1145-2000 Request for Suffolk County to Purchase Land in South Jamesport
- #218** Approves Special Permit Application of Edward Partridge (T.S. Haulers, Inc.)
- #219** Approves Amended Site Plan of Traditional Links, LLC
- #220** Pays Bills

Resolution # 3

Amends CDA Resolution #22 of September 5, 2000 Authorizing Chairman to Execute License Agreement with Kamco Supply Company

Member **COUNCILMAN CARDINALE** offered the following resolution,

which was seconded by Member **COUNCILMAN DENSIESKI**

WHEREAS, the CDA authorized the execution of a License Agreement with Kamco Supply Company for the UTTAS Building (06-49), 16,000 square feet; and

WHEREAS, Kamco now also desires Building 06-15 (16,825 square feet) and Building 06-66 (22,201 square feet) for a total of 55,026 square feet

WHEREAS, the Town Board desires to encourage additional jobs and revenue to the Town pending closing on the property by the Buyer; and

WHEREAS, this Town Board has balanced such interests and hereby makes the following findings:

1. The proposed license agreements are of short duration;
2. That proposed uses under the license agreements are consistent with the objectives of the Town's Zoning Ordinance;
3. There is a clear mutuality of purpose and goals in this action being that the same elected representatives serve as members of the CDA and the Town Board; and

WHEREAS, the CDA will realize net income at the rate of \$5 per square foot of \$22,928 per month during the license period;

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the Chairman to execute the license agreement substantially in the form attached hereto beginning March 1, 2001 for up to six months.

AND BE IT FURTHER RESOLVED, that the License Agreement is to be executed upon issuance of a use permit by the Building Department and site plan approval by the Town Board.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and Ray Barter, Kamco Supply Company.

The Vote:

Member Densieski
Member Cardinale
Member Kent
Member Lull
Chairman Kozakiewicz

Yes
Yes
Absent
Yes
Yes

2/20/01

Town of Riverhead Community Development Agency

Adopted

Resolution # 4

Authorizes Publication of Notice

COUNCILMAN LULL

Councilman _____ offered the following resolution,

which was seconded by Councilman **COUNCILMAN CARDINALE** :

WHEREAS, the New York State Department of Environmental Conservation (DEC) finds that present flows at the Calverton Sewage Plant are minimal and that the production of several organic compounds is significantly reduced due to the level and type of industrial activity at Calverton and therefore has requested publication of the attached notice for modification of an existing State Pollutant Discharge System (SPDES) permit

THEREFORE, BE IT RESOLVED; that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice in the Thursday, February 22, 2001 issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss; Richard Ehlers, Esq., Frank Russo, H2M and Frank Palmieri.

THE VOTE
Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

Date: February 01, 2001

Applicant: RIVERHEAD COMMUNITY DEVELOPMENT AUTHORITY
200 HOWELL AVENUE
RIVERHEAD, NY 11901

Facility: CALVERTON ENTERPRISE PARK
4062 GRUMMAN BOULEVARD
CALVERTON, NY 11933

Application ID: 1-4730-01057/00001

Permits(s) Applied for: 1 - Article 17 Titles 7 & 8 Industrial SPDES

Project is located: in RIVERHEAD in SUFFOLK COUNTY

Project Description:

The Department has made a tentative determination to modify an existing State Pollutant Discharge Elimination System (SPDES) permit for the facility known as the Calverton Enterprise Park, formerly known as the Naval Weapons Industrial Reserve Plant (DEC No. 1-4730-00013/00034). This permit covers multiple outfalls discharging to surface waters and groundwater. These discharges include a variable amount of treated process and sanitary wastewater from an existing sewage treatment plant to the Peconic River by way of McKay Lake; stormwater runoff and non-contact cooling water from four additional outfalls to an unnamed pond, and stormwater and non-contact cooling water from seven outfalls to groundwater. The modification involves the elimination of sampling and monitoring requirements for several organic compounds which are no longer produced due to the cessation of most industrial activity at the facility. The site is located in Calverton, Town of Riverhead.

State Environmental Quality Review (SEQR) Determination.

Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was not performed.

SEQR Lead Agency None Designated

State Historic Preservation Act (SHPA) Determination

Cultural resource lists and map have been checked. No registered, eligible or inventoried archaeological sites or historic structures were identified at the project location. No further review in accordance with SHPA is required.

Availability For Public Comment:

Comments on this project must be submitted in writing to the Contact Person no later than 03/16/2001

Contact Person

GEORGE W. HAMMARTH
NYSDEC
SUNY @ STONY BROOK BUILDING 40
STONY BROOK, NY 11790-2356
(631) 444-0365

License ("License"), made as of the ____ day of ____, 2001, by and between the Town of Riverhead Community Development Agency, having an address at 200 Howell Avenue, Riverhead, NY 11901, Attention: Andrea Lohneiss ("Licensor") and Kamco Supply Company, a corporation having an address at 80-21st Street, Brooklyn, NY 11232, Attention: Alan Sverdlick ("Licensee").

W I T N E S S E T H

WHEREAS, Licensor desires to license to Licensee, and Licensee desires to license to Licensor, the right to use approximately 16,000 square feet in Building 06-49, 16,825 square feet in Building 06-15 and 22,201 square feet in Building 06-66 as depicted on Exhibit A (the "License Premises") located at the property formerly known as the Naval Weapons Industrial Reserve Plant, Department of Defense Number 466, Calverton, New York (the "Calverton Site"), upon all of the terms and conditions hereinafter set forth;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Licensor and Licensee, for themselves, their successors and assigns, hereby agree as follows:

1. LICENSING. Upon the terms and conditions hereafter set forth, Licensor hereby licenses to Licensee, and Licensee hereby licenses from Licensor, the right to use the License Premises.
2. TERM OF LICENSE. The term of this License (the "Term") shall commence on March 1, 2001 (the "License Commencement Date") and shall end on the earlier of (a) August 31, 2001 and (b) the date on which the closing shall occur under that certain Agreement of Sale dated as of June 15, 1999 between Licensor and Calverton Camelot LLC (in either case, the "Expiration Date") or such earlier date upon which this License shall expire or be canceled or terminated pursuant to any of the conditions or covenants of this License or pursuant to law. Notwithstanding anything to the contrary contained in this License, Licensor shall have the right, exercisable in its sole discretion, to terminate this License effective immediately upon written notice from Licensor to Licensee, if (i) Licensee shall default under or be in breach of in any of its obligations, representations or warranties hereunder and (ii) such default continues for (x) five days after written notice from Licensor with respect to monetary defaults or (y) thirty days after written notice from Licensor with respect to nonmonetary defaults. If Licensor shall so terminate this License, from and after the termination date neither party hereto shall have any rights or obligations hereunder other than those that, pursuant to the express terms hereof, survive termination of this License, provided that Licensee shall remain liable to Licensor for any default or breach by Licensee that occurred prior to such termination. Furthermore, this License is not, and shall not be construed to be, a lease or a sublease and nothing contained in this License shall be construed as granting to Licensee any interest or right as tenant or subtenant or any other interest or right other than the interest of a Licensee in accordance with the terms and provisions hereof.

3. CONDITIONS OF LICENSE PREMISES. Licensee agrees to accept the License Premises "as is," and Licensor shall have no obligation to perform any work or repairs on behalf of Licensee. Licensee acknowledges that no representations with respect to the condition of the License Premises, or with respect to any improvement or fixtures thereon or attached thereto, have been made to it. Licensee shall be responsible for all start-up costs and expenses and for all costs and expenses associated with the operation of the License Premises, including without limitation, utility usage costs. Invoices will be provided to Licensee monthly and are to be paid within 10 days. Specifically, Licensee must install electric and steam meters and incur other start-up costs, including but not limited to reactivation of sprinklers, including quarterly testing as required by the Riverhead Fire Marshall, and reactivation of bathrooms. Licensee is responsible for connection of building to municipal water including design, inspection and key money.

4. SECURITY DEPOSIT. Licensee shall deposit with Licensor on the date hereof an amount equal to \$22,928 as security for the faithful performance and observation by Licensee of the terms, conditions and provisions of this License. If a default shall occur and be continuing hereunder, Licensor may apply or retain the whole or any part of the security so deposited to the extent necessary to cure such default. Upon termination of this License, Licensor shall return to Licensee such deposit, less any amounts to which Licensor is entitled pursuant to the terms hereof.

5. LICENSE FEE. Licensee shall pay to Licensor, in accordance with Section 6 hereof (a) on the date hereof an amount equal to \$68,784 and (b) on the first business day of each month commencing with June 1, 2001, an amount equal to \$22,928 (all of the amounts to be paid by Licensee hereunder, collectively, the "Fee"). In the event that the Term shall terminate on a day other than the last day of a calendar month or in the event that the Term shall terminate prior to May 30, 2001, Licensor and Licensee shall equitably prorate the amount of the Fee actually paid to Licensor for such period.

Licensee covenants and agrees that in no event shall Licensee permit any motor Vehicle to: (1) enter the Calverton Site other than through the Access Point (as defined below) or (2) park anywhere other than in the parking area depicted on Exhibit A attached here (the "Parking Area"). Licensee shall be solely responsible for keeping the Parking Area free and clear of debris and snow.

6. PAYMENT. The Fee and all other charges, costs and expenses payable by Licensee under this License shall be paid by certified check payable to the order of the Town of Riverhead Community Development Agency and delivered to Andrea Lohneiss at the address provided for Licensor in the preamble to this License, without notice or demand therefor (except to the extent otherwise expressly provided herein) and without any deduction, credit, set-off, counterclaim or abatement whatsoever in every case in which Licensee is required to pay Licensor a sum of money and said sum (or any portion thereof) is not paid when due; interest at an annual rate of 12%.

7 USE: COVENANTS. (a) Licensee shall use the License Premises only for the storage and sale of building supplies and the manufacture of products including but not limited to windows, doors, skylights and related products (the "Uses") to prepare the License Premises for the same and to clean and restore the License Premises; in each case, in accordance with, and subject to, the terms and provisions of this License. Licensee shall be responsible for compliance with local zoning and for obtaining all permits necessary to conduct its business. Specifically, Licensee shall apply for and obtain a use permit from the Town of Riverhead and site plan approval from the Town Board prior to execution of this agreement. Licensee covenants that no treated lumber is to be stored outside the building.

(b) Licensee, at its own cost and expense, shall protect, maintain, and keep in good order, the License Premises.

(c) No additions to, or alterations of, the License Premises shall be made without the prior consent of Licensor or in violation of any applicable building codes. Upon revocation or surrender of this License, to the extent directed by Licensor, Licensee shall remove all alterations, additions, betterments and improvements made, or installed, and restore the License Premises to the same, or as good condition as existed on the date of entry under this License, reasonable wear and tear excepted.

(d) Licensee shall be liable for any loss of or damage to, the Calverton Site incurred in connection with the Uses, and shall make restoration or repair, or monetary compensation as may be directed by Licensor. Licensee shall maintain, at a minimum, the types and amounts of insurance evidenced by the certificates attached hereto as Exhibit B. Licensee agrees that not less than thirty (30) days prior to the expiration of any insurance required by this License, it will deliver to Licensor's local representative a certificate of insurance or a certified copy of each renewal policy to cover the same risks. Each policy of insurance required hereunder shall name Licensor "Town of Riverhead Community Development Agency" and "Grubb & Ellis Management Services, Inc." as additional insureds. In the event that any items or part of the Calverton Site shall require repair, rebuilding or replacement resulting from loss or damage, the risk of which is assumed under this Section 7, Licensee shall promptly give notice thereof to Licensor and shall, upon demand, either compensate Licensor for such loss or damage, or rebuild, replace or repair the item or items of the Calverton Site so lost or damaged, as Licensor may elect. In the event Licensee shall not have been required to effect such repair, rebuilding, or replacement, and the insurance proceeds allocable to the loss or damage that has created the need for such repair, rebuilding or replacement have been paid to Licensee, Licensee shall promptly refund to Licensor the amount of such proceeds.

(e) Without limiting the generality of any other provision of this Agreement, Licensee hereby covenants and agrees that Licensee shall provide ample vehicles, personnel,

equipment and containers to clean the License Premises and insure that the same is restored to as good condition, subject to reasonable wear and tear, on the Expiration Date as it was in on the License Commencement Date.

(f) In connection with the performance of work under this License, Licensee agrees not to discriminate against any employee or applicant for employment because race, religion, color or national origin. The aforesaid provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. Licensee agrees to post hereafter in conspicuous places available for employees and applicants for employment, notices to be provided by Licensor setting forth the provisions of the nondiscrimination clause. Licensee further agrees to insert the foregoing in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials.

(g) Licensor shall have the sole authority to determine what entity or entities shall provide the following services to the Calverton Site: any and all telecommunications products and services including but not limited to telephone, intellipath, ISDN, data circuits, satellite communications services, fiber, cable, electric and water. Licensee shall not install or contract for the installation of any of the foregoing services without the express written consent of the Licensor.

8. ASSIGNMENT AND LICENSING. Notwithstanding anything to the contrary contained in this License, Licensee shall not assign this License, Licensee the License Premises in whole or in part or permit Licensee's interest in this License to be vested in any party other than Licensee by operation of law or otherwise. A transfer of more than fifty (50%) at any one time or, in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly shall be deemed to be an assignment of this License.

9. LICENSOR'S REMEDIES. (a) If Licensee fails to perform any of its obligations hereunder in accordance with the terms hereof, then, after reasonable notice to Licensee not to exceed thirty (30) days, and an opportunity for Licensee to cure such failure, (except in case of emergency) Licensee may (but shall not be obligated to) cure such failure at the expense of Licensee, and the amount incurred by Licensor in connection with such cure shall be payable by Licensee to Licensor on demand.

(b) Except as provided in Section 2 and in the immediately following sentence, in the event of a breach by Licensee hereunder, Licensor shall be limited to an action at law for damages. Notwithstanding the foregoing, in the event that Licensee holds over after the expiration of the Term, (i) Licensee shall be obligated to pay Licensor an amount equal to \$1,000 per diem for each day of the holdover term and (ii) Licensor shall have all of the rights and remedies available to it at law or in equity, including without limitation, the right to exercise self help and to dispossess Licensee of the License Premises, change the locks on the License Premises, deny Licensee access to

the License Premises and take possession of or dispose of any property at the License Premises; all at the cost and expense of Licensee. Except as provided in Section 2, in no event shall Licenser have the right to enjoin Licensee's performance of the Uses.

10. INDEMNITY. (a) Licensee shall indemnify and hold Licenser harmless from and against any and all claims, actions, liabilities, losses, damages (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorneys' fees and expenses) arising from or in connection with (i) the use or occupancy by Licensee of the License Premises during the term hereof, or (ii) any work or thing done or any condition created by or any other act or omission of Licensee or its employees, agents, contractors, visitors or licensees, in the License Premises or any other part of the Calverton Site in connection with Licensee's use of the License Premises; or (iii) Licensee's failure to perform any of the obligations imposed on it hereunder.

(b) The foregoing indemnity does not include any claims, actions, liabilities, losses, damages, costs and expenses resulting from Licenser's gross negligence or willful misconduct.

11. Brokers. Licensee represents that it has not dealt with any broker or finder other than Grubb & Ellis with respect to this License. Licensee agrees to indemnify and hold Licenser harmless from and against any and all loss, liability, damage, cost and expense (including, but not limited to, court costs and reasonable attorneys' fees and expenses) which Licenser may incur or sustain in connection with any claim or action by any broker or finder that may be asserted against Licenser as a result of any conversations, correspondence or other dealings between Licensee and such broker or finder.

12. NOTICES. Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensee, it shall be addressed to Licensee at 80-21st, Brooklyn, NY 11232, Attention: Alan Svordlick, and if such notice is directed to Licenser, it shall be addressed to Licenser at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss. Either party may, by notice in writing, direct that future notices be sent to a different address and to the attention of such other people as either Licenser or Licensee shall designate.

13. HAZARDOUS SUBSTANCES. (a) Generally. Licensee shall not generate, store, manufacture, refine, transport, treat, dispose of or otherwise permit to be present on or about the License Premises, any Hazardous Substances (other than Hazardous Substances (x) customarily used in events such as the Event and (y) used, stored, transported, and disposed of in strict compliance with applicable law). As used herein, the term "Hazardous Substances" shall mean any flammables, explosives, radioactive materials, hazardous wastes, hazardous and toxic substances or related materials, asbestos or any materials containing asbestos, or any other hazardous or toxic substance or material as defined by any Federal, State or local environmental law, rule or regulation, including, without limitation, the Resource Conservation and

Recovery Act of 1976, as amended from time to time, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, the Toxic Substances Control Act, as amended from time to time, the Hazardous Materials Transportation Act, as amended from time to time, and the regulations adopted and the publications promulgated pursuant to each of the foregoing.

- b. In addition to the foregoing, (A) Licensee hereby agrees to comply at all times with and to cause the License Premises to be in compliance at all times with the Suffolk County Health Department Regulations and (B) Licensee shall file for a fire prevention permit and hazardous material permit from the Town of Riverhead.
- c. Indemnification. Licensee shall indemnify and hold harmless Licensors from and against any and all liabilities, damages, claims, losses, penalties, judgments, causes of action, costs and expenses (including, without limitation, court costs and the reasonable fees and expenses of counsel) which may be incurred by Licensors directly arising out of any breach by Licensee of the obligations imposed upon it under this Section 13. The foregoing indemnity shall survive the expiration or sooner termination of this License.

14. CROSS-DEFAULT. To the extent that the Licensors and the Licensee are parties to any other similar agreements, any default under such similar agreements shall be deemed to be a default under this License, and any default under such similar agreements.

15. MISCELLANEOUS. (a) Merger. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this License, which alone fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This License may not be changed or terminated orally or in any manner other than by a writing signed by the party against whom enforcement of the change or termination is sought.

(b) Successors and Assigns. This License shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. The term "Licensor," as used in this License, shall mean only the owner from time to time of the License Premises, so that in the event of any transfer or assignment of the License Premises, the transferor or assignor shall be and hereby is entirely freed and relieved of all covenants, obligations and liability of Licensor under this License, and it shall be deemed, without further agreement, that the transferee or assignee has assumed and agreed to perform and observe all obligations of Licensor under this License during the period that such transferee or assignee is the owner of the interest of License Premises.

(c) Licensee represents that this License has been duly authorized, executed and delivered by Licensee and is enforceable against Licensee in accordance with its terms.

(d) Neither Licensor nor any tenant nor other party shall have any right of action based upon invasion of privacy, publicity, defamation, or other civil rights, in connection with the exercise of the permission and/or rights herein granted. Notwithstanding the foregoing, Licensee shall not use the name "Calverton" or "Riverhead", or any signage containing such names, and shall not use the names, pictures, or likenesses of any officials or employees of the Town of Riverhead in connection with or production of the "use" hereunder without the prior consent of Licensor, which consent shall not be unreasonably withheld or delayed.

LICENSOR:

THE TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY

By: _____
Name: _____
Title: _____

LICENSEE:

By: _____
Name: _____
Title: _____

2/20/01

Adopted

Town of Riverhead

Resolution # 177

Declares Lead Agency and Determines Significance of Lease to Altitude Express

Councilman **COUNCILMAN DENSIESKI** offered the following resolution,

which was seconded by Councilman **COUNCILMAN LULL**

WHEREAS, the Riverhead Community Development Agency is in receipt of a proposal from Altitude Express ("Skydive Long Island") to lease access to a runway located at the former Naval Weapons Industrial Reserve Plant ("Calverton Site") pursuant to section 507(2)(d), 556(2) and 968(b) of the General Municipal Law; and

WHEREAS, the Riverhead Planning Department has prepared an Environmental Assessment Form in this regard; and

WHEREAS, the Riverhead Community Development Agency has carefully considered the merits of the lease, the SEQRA record created to date, as well as the provision of 507(2)(d) 556(2) and 968(d) of the General Municipal Law.

THEREFORE, BE IT RESOLVED, that in the matter of the lease of runway at the Calverton site, the Riverhead Community Development Agency hereby declares itself to be the lead agency and further determines the action to be unlisted pursuant to 6NYCRR Part 617 without a significant impact upon either the natural and social environment and that an Environmental Impact Statement need not be prepared.

THEREFORE, BE IT FURTHER RESOLVED, that the Planning Department be directed to publish and post those notices of non-significance as required by law.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Ray Maynard, Skydive, Planning Director Richard Hanley and Community Development Agency Director Andrea Lohneiss.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

2/20/01

Adopted**TOWN OF RIVERHEAD**Resolution # 181**AMEND RESOLUTION #107****TO THE RIVERHEAD RECREATION DEPARTMENT****COUNCILMAN LULL**

offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

AMEND, Resolution # 107 which, was adopted by this Town Board on February 6, 2001.

RESOLVED, that Ernest Mosley is hereby appointed to serve as a Bus Driver effective, February 20, 2001 to be paid at the rate of \$11.46 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

2/20/01

TOWN OF RIVERHEAD

Resolution # 180AMEND RESOLUTION #106TO THE RIVERHEAD RECREATION DEPARTMENTCOUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

AMEND, Resolution # 106 which, was adopted by this Town Board on February 6, 2001.

RESOLVED, that Donald Acuri is hereby appointed to serve as a Bus Driver effective, February 20, 2001 to be paid at the rate of \$11.46 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

2/20/01

Adopted**TOWN OF RIVERHEAD**Resolution # 179**AMEND RESOLUTION #105****TO THE RIVERHEAD RECREATION DEPARTMENT****COUNCILMAN LULL**

offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by _____

AMEND, Resolution # 105 which, was adopted by this Town Board on February 6, 2001.

RESOLVED, that Michael Slovensky is hereby appointed to serve as a Bus Driver effective, February 20, 2001 to be paid at the rate of \$11.46 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

2/20/01

TOWN OF RIVERHEAD

AdoptedResolution # 178AMEND RESOLUTION #104TO THE RIVERHEAD RECREATION DEPARTMENTCOUNCILMAN LULL

offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by _____

AMEND, Resolution # 104 which, was adopted by this Town Board on February 6, 2001.

RESOLVED, that Robert Fox is hereby appointed to serve as a Bus Driver effective, February 20, 2001 to be paid at the rate of \$11.46 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and
2. Subject to the approval of the Suffolk County Department of Civil Service and possession of a clean valid, CDL License.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 182

APPOINTS RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DENSIESKI offered the following resolution,
 which was seconded by COUNCILMAN LULL

RESOLVED, that Cori Koroleski is hereby appointed as a Recreation Aide for the Fun-A-Rama Program, effective, February 20, 2001 to and including April 14, 2001 to be paid at the rate of \$7.00 per hour; and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☐ Yes ☐ No

Kent ☐ Yes ☒ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 183

APPOINTS RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Jennifer Cook is hereby appointed as a Recreation Aide for the Fun-A-Rama Program, effective, February 20, 2001 to and including April 14, 2001 to be paid at the rate of \$7.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 184

APPOINTS RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILMAN CARDINALE

RESOLVED, that David Joel is hereby appointed as a Recreation Aide with the working title of Fill-In Volleyball Leader, effective, February 20, 2001 to and including December 31, 2001 to be paid at the rate of \$12.50 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Dencieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ NoKent ☒ Yes ☐ No Lull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ NoTHE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

AdoptedResolution # 185APPOINTS SEED CLAM PROGRAM ADMINISTRATORCOUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

WHEREAS, the Town of Riverhead, in connection with its municipal operations, requires services consisting of the following: Seed Clam Program Administrator – Year 2001; and

WHEREAS, David Lessard is willing to provide the following services to the Town:

Description of Services:	Administration of Seed Clam Program.
Date(s) and Hour(s) of Service:	Year 2001

NOW THEREFORE BE IT HEREBY RESOLVED, that The Town Board of the Town of Riverhead hereby appoints David Lessard as Administrator of the Town of Riverhead Seed Clam Program – Year 2001; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute the attached Agreement in connection with the administration services of the aforementioned individual; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to David Lessard, P.O. Box 139, Jamesport, New York, 11947; Roberta Morrissey, Police Department; the Office of Accounting and the Town Attorney's Office.

D:\Laura\reso\appointseedclam.doc

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

AGREEMENT

BETWEEN the TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "TOWN" and DAVID LESSARD, a partnership/corporation/limited liability partnership, with offices at P.O. Box 139, Jamesport, New York, Vendor Number 029027, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, the TOWN, in connection with its municipal operations, requires services consisting of the following: Seed Clam Program – Year 2001; and

WHEREAS, the CONTRACTOR is willing to provide the following services to the Town:

Description of Services:	Administration of Seed Clam Program
Date(s) and Hours of Services:	Year 2001

IT IS HEREBY AGREED, by the TOWN and CONTRACTOR, as follows:

1. That CONTRACTOR shall provide and fully perform to the TOWN'S satisfaction the aforementioned services to the TOWN on the date(s) and time(s) stated above.
2. In return for CONTRACTOR'S services, the Town shall pay CONTRACTOR as follows: The sum of Three Thousand Five Hundred and 00/100 (\$3,500.00) Dollars payable in half-payments of One Thousand Seven Hundred and 00/100 (\$1,750.00) Dollars each in April, 2001 and September 2001..
3. Administration shall include the bidding process and oversight of facilities to provide seed. The TOWN is responsible for the cost of repair and materials of their rafts, which contain the clams.

Dated: Riverhead, New York
February 21, 2001

TOWN OF RIVERHEAD

By: _____

ROBERT F. KOZAKIEWICZ
Town Supervisor

CONTRACTOR

By: _____

DAVID LESSARD

02/20/01

TOWN OF RIVERHEAD

AdoptedResolution # 186APPOINTS PROVISIONALLY GRANTS COORDINATOR

COUNCILMAN CARDINALE offered the following
 resolution, which was seconded by COUNCILMAN DENSIESKI

WHEREAS, a vacancy exist in the Accounting Department, and

WHEREAS, the Suffolk County Department of Civil Service has granted the Town permission to hire Provisionally, and

WHEREAS, the position was duly posted and advertised and all willing applicants were interviewed, and

WHEREAS, it is the recommendation of the Department Head for the Accounting Department and the Town Board Personnel Committee that Jean Lum be appointed provisionally.

NOW, THEREFORE, BE IT RESOLVED, that effective March 26, 2001, the Town Board hereby appoints provisionally Jean Lum to the Position of Grants Coordinator on Group 7 Step P of the Administrative Salary Structure of the CSEA Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Jean Lum, the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

02/20/01

Adopted**TOWN OF RIVERHEAD**Resolution # 187**APPOINTS PUBLIC SAFETY DISPATCHER I****COUNCILMAN LULL**

_____ offered the following

resolution, which was seconded by **COUNCILMAN CARDINALE****WHEREAS**, a vacancy exist in the Police Department, and**WHEREAS**, the Suffolk County Department of Civil Service established list # 00A-454 which was canvassed, and interviews were conducted, and**WHEREAS**, it is the recommendation of the Chief of Police and the Town Board Personnel Committee that Robert Miller be appointed.**NOW, THEREFORE, BE IT RESOLVED**, that effective February 26, 2001, the Town Board hereby appoints Robert Miller to the position of Public Safety Dispatch I on Group 1 Step P of the Public Safety Dispatchers Salary Structure of the CSEA Contract; and**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Robert Miller, the Office of Accounting.**THE VOTE**Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☐ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

FEBRUARY 20, 2001

TOWN OF RIVERHEAD

AdoptedResolution # 188APPOINTS PART TIME ANIMAL CONTROL OFFICERCOUNCILMAN DENSIESKI

offered the following

COUNCILMAN LULL

resolution, which was seconded by _____

WHEREAS, a vacancy exists at the Department of Animal Safety for the position of Part Animal Control Officer; and

WHEREAS, the Personnel Committee has interviewed all interested candidates; and

WHEREAS, interviews have been conducted and it is the recommendation of the Personnel Committee that we hire Wendy Buttafuoco; and

NOW, THEREFORE, BE IT RESOLVED, that effective March 3, 2001, the Town Board hereby appoints Wendy Buttafuoco to the position of Part Time Animal Control Officer at the hourly rate of \$12.50 per hour.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Wendy Buttafuoco, the Sanitation Department, and the Office of Accounting.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

Adopted 350

Town of Riverhead

Resolution # 189
Adopted February 20, 2001Appoints Automotive Equipment Operator to
the Town of Riverhead Highway Department

COUNCILMAN LULL offered the following resolution which was
seconded by COUNCILMAN CARDINALE.

WHEREAS, the transfer of an Equipment Operator has created a vacancy in the Riverhead Highway Department; and

WHEREAS, the position of Automotive Equipment Operator was duly advertised and applicants were thereafter interviewed on February 9, 2001::

NOW, THEREFORE, BE IT

RESOLVED; that Arthur Fogal and is hereby appointed to the position of Automotive Equipment Operator with the Riverhead Highway Department effective March 12, 2001 at the annual rate of compensation of \$29,231.98 as set forth in Group 6 Step P of the Operational and Technical Salary Schedule of the 1998/2000 CSEA Contract; and

BE IT FURTHER

RESOLVED; that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Arthur Fogal, Timber Drive, P.O. Box 81, Riverhead, New York 11933, Mark Kwasna and the Accounting Department.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

Town of Riverhead

Resolution # 190
Adopted February 20, 2001

Adopted

Appoints Automotive Equipment Operator to
the Town of Riverhead Highway Department

COUNCILMAN CARDINALE offered the following resolution which was
seconded by COUNCILMAN LULL.

WHEREAS, the transfer of an Equipment Operator has created a vacancy in the Riverhead Highway Department; and

WHEREAS, the position of Automotive Equipment Operator was duly advertised and applicants were thereafter interviewed on February 9, 2001;

NOW, THEREFORE, BE IT

RESOLVED, that Chester Grzegorzcyk and is hereby appointed to the position of Automotive Equipment Operator with the Riverhead Highway Department effective March 12, 2001 at the annual rate of compensation of \$29,231.98 as set forth in Group 6 Step P of the Operational and Technical Salary Schedule of the 1998/2000 CSEA Contract; and

BE IT FURTHER:

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Chester Grzegorzcyk, 1051 Middle Road, Riverhead, New York 11901, Mark Kwasna and the Accounting Department.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Resolution # 191APPOINTS INTERPRETATION CONSULTANT FOR POLICE DEPARTMENT AND
JUSTICE COURTCOUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILMAN CARDINALE :

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

WHEREAS, Zyta Piegari, Contractor, is willing to provide the following services to the Town:

Description of Services: Language Translation – Spanish
Date(s) and Hours of Service: On-call, Flexible:

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the Agreement in connection with interpreter services of the aforementioned individual; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Police Chief Joseph Grattan; Justice Richard Ehlers; Justice Allen Smith; the Office of Accounting and the Town Attorney's Office.

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

AGREEMENT

BETWEEN, **THE TOWN OF RIVERHEAD**, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "TOWN" and **ZYTA PIEGARI**, residing at 245 Washington Avenue, P.O. Box 202, Jamesport, New York, 11947, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

WHEREAS, the contractor is willing to provide the following services to the Town:

Description of services:	Language Translation — Spanish
Date(s) and Hours of Services:	On-call, Flexible

IT IS HEREBY AGREED, by the Town and Contractor as follows:

1. That Contractor shall provide and fully perform to the Town's satisfaction the aforementioned services to the Town on the date(s) and times(s) stated above.
2. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of Fifty (\$50.) Dollars for the first (1st) hour of service and Thirty-Five (\$35.) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the Contractor performs the services described for the Town and after contractor has filed with the Town of Riverhead, vouchers and any other documents reasonably required for payment.
3. The terms of this agreement shall be from January 1, 2001 to December 31, 2001.

Dated: Riverhead, New York
February , 2001

TOWN OF RIVERHEAD

By: _____
ROBERT F. KOZAKIEWICZ
Town Supervisor

CONTRACTOR

By: _____
ZYTA PIEGARI

02/20/01

Adopted**TOWN OF RIVERHEAD****Resolution # 192****AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR QUEST –
A. LAWRENCE GALASSO**

Councilman Densieski

offered the following resolution,

which was seconded by

Councilman Lull

WHEREAS, A Lawrence Galasso. posted a performance bond in the form of a check in the sum of Five Hundred Dollars (\$500.00) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificate of Occupancy was issued for said construction .

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the cash performance bond in the sum of Five Hundred Dollars (\$500.00); and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to A Lawrence Galasso, PO Box 20872, Aquebogue, New York 11931, the Building Department; the Planning Department, the Town Clerk and the Town Attorney's Office.

THE VOTECardinale ☐Yes ☐NoDensieski ☐Yes ☐NoKent ☐Yes ☐NoLull ☐Yes ☐NoKozakiewicz ☐Yes ☐No

The Resolution Was ☐ Was Not ☐
Thereupon Duly Declared Adopted

02/20/01

Adopted**TOWN OF RIVERHEAD**

Resolution # 193

AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR TANGER PROPERTIES, LTD PARTNERSHIP (POLO)**COUNCILMAN CARDINALE**

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, Tanger Properties, LTD Partnership posted a performance bond in the amount of Forty Five Thousand Eight Hundred Eighty Dollars (\$45,880.00) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificate of Occupancy #115725 dated January 26, 2001 was issued for said construction ..

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond in the sum of Forty Five Thousand Eight Hundred Eighty Dollars (\$45,880.00).. And

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., PO Box 779, 616 Roanoke Avenue, Riverhead, New York 11901, the Building Department; the Planning Department, the Town Clerk and the Town Attorney's Office..

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ^{absent} ☐ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

356
Adopted

Resolution # 194

ACCEPTS S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF COUNTRY VUE
ESTATES AT WADING RIVER (ROAD & DRAINAGE IMPROVEMENTS)

COUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, by resolution adopted on January 29, 1998, the Riverhead Planning Board conditionally approved the subdivision known as the "Map of Country Vue Estates" with one of the conditions of final approval being the submission and filing of a performance bond or other acceptable form of performance security in the amount of \$209,000.00 covering road and drainage improvements within said subdivision; and

WHEREAS, by resolution dated February 5, 1999, the Riverhead Planning Board recommended the performance bond be reduced to Sixty Nine Thousand Dollars and 00/100 (\$69,000.00); and

WHEREAS, by Resolution #200 dated March 2, 1999, the Riverhead Town Board accepted Suffolk County National Bank Irrevocable Letter of Credit No. 990224 in the amount of \$69,000.00 having an expiration date of February 24, 2000; and

WHEREAS, Schembri Enterprises LLC has submitted to the Town, Suffolk County National Bank Irrevocable Letter of Credit No. 010224 in the amount of \$69,000.00, having an expiration date of February 24, 2002, replacing the aforementioned irrevocable letter of credit; and

WHEREAS, the Town Attorney has reviewed said S.C.N.B. Irrevocable Letter of Credit No. 010224 and determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts S.C.N.B. Irrevocable Letter of Credit No. 010224 in the amount of \$69,000.00 having an expiration date of February 24, 2002 covering road and drainage improvements within said subdivision; and be it further

RESOLVED, that the Town clerk is hereby authorized to return Suffolk County National Bank Irrevocable Letter of Credit No. 990224 in the amount of \$69,000.00, having an expiration date of February 24, 2000; and

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Schembri Enterprises, LLC, P.O. Box 762, Wading River, New York, 11792; the Planning Department; the Planning Board; the Building Department and the Office of the Town Attorney.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 195

AUTHORIZES THE RELEASE OF PERFORMANCE BOND OF PECONIC BAY
GOLF

COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILMAN CARDINALE

WHEREAS, Peconic Bay Golf posted a cash bond in the sum of \$42,500.00, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, by memorandum dated February 18, 2000, Peter S Danowski Jr., Esq., requested said performance bond be reduced from \$42,500.00 to \$7,500.00. Resolution #220, dated June 8, 2000, reduced the performance bond to \$7,500.00. Pursuant to memorandum dated February 18, 2000, Sharon E. Klos, Building Permits Coordinator has determined that construction of the clubhouse has been completed to the Building Department's satisfaction and a conditional Certificate of Occupancy #14872 has issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the conditions of CO#14872 have been met and the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond in the sum of Seven Thousand Dollars (\$7,500.00); and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., PO Box 779, 616 Roanoke Avenue, Riverhead, New York 11901, the Building Department, the Planning Department, the Town Clerk and the Town Attorney's Office.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☐ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

02/20/01

Adopted

TOWN OF RIVERHEAD

Resolution # 196

AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR NEXTEL

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Steplin Construcion Corp. for Nextel posted a performance bond in the form of a check in the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificate of Occupancy was issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the cash performance bond in the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00); and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Nextel Corporation, the Building Department; the Planning Department, the Town Clerk and the Town Attorney's Office.

THE VOTE:Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ^{absent} ☐ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Adopted

Resolution # 197

AUTHORIZES THE RELEASE OF PERFORMANCE BOND OF BAITING
HOLLOW COMMONS. FRED TERRY

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Baiting Hollow Commons posted a cash bond in the sum of Two Thousand Seven Hundred Seventy Nine Dollars (\$2,779.00), pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, said construction has been completed to the Building Department's satisfaction and Certificates of Occupancy have been issued for said construction.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes the release of the cash bond in the sum of Two Thousand Seven Hundred Seventy Nine Dollars (\$2,779.00); and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Baiting Hollow Commons, Frederick Terry, 4 China Lane, Poquott, New York 11733, the Building Department, the Planning Department, the Town Clerk and the Town Attorney's Office.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☐ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

FEBRUARY 20, 2001

Adopted

TOWN OF RIVERHEADRESOLUTION# 198AUTHORIZATION TO PUBLISH
BID FOR SNACK VENDOR SERVICESCOUNCILMAN CARDINALE

_____ offered the following resolution which was
seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for **SNACK VENDOR SERVICES** for the Town Of Riverhead at Reeves Park Beach and Iron Pier Beach.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **March 1, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **SNACK VENDOR SERVICES** for the **TOWN OF RIVERHEAD** at the following locations: Stotzky Park, Reeves Park Beach , Iron Pier Beach and Wading River Beach, will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on March 9, 2001.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR SNACK VENDOR SERVICES.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

2/20/01

363
Adopted

TOWN OF RIVERHEAD

Resolution # 199

AUTHORIZES THE SUPERVISOR TO EXECUTE DEPARTMENT OF THE ARMY
PERMIT (IRON PIER BEACH IMPROVEMENT PROJECT)

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute a Department of the Army Permit in connection with the Iron Pier Beach Improvement Project; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Ken Testa, P.E.; the Office of the Supervisor and the Office of Accounting

THE VOTE
Densioski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

Permittee: Town of Riverhead, 200 Howell Avenue, Riverhead, NY 11901-2596
(631) 727-3200 x267

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Permit No.: 1999-02270

Issuing Office: New York District Corps of Engineers

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

Remove an existing concrete boat ramp, pilings, gabion mats, and concrete debris. Construct a 170 foot x 40 foot reinforced concrete boat ramp with a riprap revetment on either side, to include approximately 22 cubic yards of riprap below mean low water (MLW). Discharge approximately 148 cubic yards of clean fill from an upland source into the waterway to provide a subgrade for the ramp. Construct a raised 6 foot x 40 foot concrete platform, a 3 foot x 40 foot hinged ramp, and a 6 foot x 20 foot float in the center of the boat ramp and a 9 foot x 200 foot pile-supported fixed pier above the proposed revetment on the east side of the ramp. Dredge, within ten years maintenance, approximately 350 cubic yards of sediment to a depth 3 feet below MLW from the area of the boat ramp, to be placed on the adjacent beach area above the spring high tide line. Return flow to the waterway through hay bales is authorized. Discharge approximately 100 cubic yards of fill into approximately 0.03 acres of drainage ditches. Construct an 8 foot x 4 foot overflow weir in a drainage ditch with a 280 foot x 3 foot drainage pipe. As mitigation for permission to discharge fill into a wetland, excavate a 100 foot x 80 foot x 6 foot deep retention basin and plant with wetland species. Construct a 7 foot x 50 foot x 4 foot deep overflow outlet channel from the retention pond to an adjacent wetland area. All work shall be performed in accordance with the attached diagrams and NYSDRC Permit 1-4730-00155/00015, incorporating the Section 401 Water Quality Certification, which are hereby made a part of this permit.

Project Location:

IN: Hallock Pond, Long Island Sound.

AT: Northville, Town of Riverhead, Suffolk County, New York

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on _____ maintenance dredging and disposal activities are authorized until _____. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

145b (Long Island Sound - Town of Riverhead - dredging with upland disposal; boat ramp; pier; ramp; floating dock; revetment; outfall structure; detention pond)

When you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1) To protect archeological resources, the prehistoric Iron Pier Pond Site, as noted in Figure 2 of the Tracker Archeological Services report, shall be enclosed by a fence prior to the start of construction activities authorized by this permit. The area shall remain enclosed by the fence until completion of all construction activities. The fence shall be erected a minimum of 50 feet in all directions from the known boundaries of the site and shall be capable of retarding normal foot traffic. The permittee shall provide the U.S. Army Corps of Engineers, New York District with evidence of the installation of this fence prior to, or concurrent with, the initiation of construction.

2) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

Further Information:

Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

- (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) ..
- (X) Section 404 of the Clean Water Act (33 U.S. Code 1344) -
- () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413)

Limits of this authorization:

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

. Damages to the permitted project or uses thereof as a result of current or future activities taken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

(DATE)

Town of Riverhead Planning Department

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)

(DATE)

William H. Pearce
Colonel, Corps of Engineers
District Engineer

the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below. A copy of the permit signed by the transferee should be sent to this office.

(TRANSFeree)

(DATE)

2/20/01

TOWN OF RIVERHEAD

Resolution # 200

AUTHORIZES THE SUPERVISOR TO NEGOTIATE CONTRACT OF SALE IN CONNECTION WITH THE CONGREGATION OF THE JEHOVAH WITNESS CHURCH, AQUEBOGUE, NEW YORK

Councilman Densieski offered the following resolution, was seconded by

Councilman Lull :

WHEREAS, the Riverhead Town Board desires to purchase real property located at 60 Shade Tree Lane, Aquebogue, New York, further described as Suffolk County Tax Map #0600-85-3-28, to allow for the operation of a senior citizen center.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to negotiate a Contract of Sale in connection with real property located at 60 Shade Tree Lane, Aquebogue, New York, further described as Suffolk County Tax Map #0600-85-3-28; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor; Riverhead Congregational Jehovah's Witness Church, 60 Shade Tree Lane, Aquebogue, New York, 11931; Ken Testa, P.E. and the Office of the Town Attorney.

Councilman Cardinale offered the following resolution to be amended, which was seconded by Councilman Densieski.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ABSENT Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

February 20, 2001**Adopted**

Town of Riverhead

Resolution # 201AUTHORIZES ATTENDANCE OF A POLICE OFFICER
AT A STOP D.W.I. TRAINING CONFERENCECOUNCILMAN LULL

offered the following resolution, was

seconded by COUNCILMAN DENSIESKI

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of a Police Officer at a STOP D.W.I. Training Conference;

AND WHEREAS, the Training Conference will be held in Ellenville, New York on March 6th, March 7th and March 8, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of a Police Officer at the aforementioned training conference; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses upon submission of proper receipts; and

BE IT FURTHER RESOLVED; that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Grattan and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 202

AUTHORIZES ATTENDANCE OF ASSESSOR AT SEMINAR

COUNCILMAN CARDINALE

offered the following resolution which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, a seminar for assessors, given by NYS-ORPS, is being held in Newburgh, NY; from 03/19/01 through 03/22/01
 And,

WHEREAS, a member of the Board of Assessors has expressed a desire to attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Paul Leszczynski is hereby authorized to attend said Seminar, and

BE IT FURTHER RESOLVED, that all expenses shall be reimbursed by the Town upon submission of Proper receipts, and

BE IT FURTHER RESOLVED, that tuition, lodging, meals, and travel expenses are subject to reimbursement by the State to the Town of Riverhead upon completion of said seminar, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified Copy of this resolution to the Assessor's Office and the Accounting Department.

THE VOTEDensleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ NoKent ☒ Yes ☐ No Lull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ NoTHE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

TOWN OF RIVERHEADGENERAL FUNDBUDGET ADJUSTMENTRESOLUTION # 203**Adopted**COUNCILMAN DENSIESKI

offered the following resolution ,

which was seconded by

COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

001.033310.492290	POLICE VEST, STATE AID	FROM:	\$6,300.
001.000000.390599	APPROPRIATED FUND BALANCE		3,400.

001.031200.542408	POLICE, BULLET PROOF VEST	TO:	\$9,700.
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001.050100.542100	TRANSPORTATION ADM., OFFICE EXPENSE	FROM:	\$150.
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001.050100.524000	TRANSPORTATION ADM., OFFICE EQUIPMENT	TO:	\$150.
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THE VOTE

Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

Adopted

TOWN OF RIVERHEAD

Resolution # 204COMMUNITY DEVELOPMENT AGENCY - CALVERTONBUDGET ADJUSTMENTCOUNCILMAN CARDINALE

offered the following resolution ,

which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

914.000000.390599

APPROPRIATED FUND BALANCE

FROM:

\$50,000.

914.069800.543910

REAL ESTATE COMMISSION EXPENSE

TO:

\$50,000.

THE VOTE

Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ No

Absent
Kent ☐ Yes ☐ No

Lull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

Adopted

TOWN OF RIVERHEADHIGHWAY DEPARTMENT
BUDGET ADJUSTMENTRESOLUTION # 205COUNCILMAN LULL offered the following resolution ,which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

111.051100.542612 MISC. SURVEY
 111.051100.545200 EQUIPMENT RENTAL

FROM:
 \$1,000.
 500.

111.051100.541302 GRAVEL, STONE

TO:
 \$1,500.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☐ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

Adopted

TOWN OF RIVERHEADBUSINESS IMPROVEMENT DISTRICT
BUDGET ADJUSTMENTRESOLUTION # 206

COUNCILMAN DENSIESKI offered the following resolution ,
which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

118.000000.390599 APPROPRIATED FUND BALANCE \$10,000.

118.064100.543925 BID MANAGEMENT ASSOC. EXPENSE

TO:
\$10,000.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

absent
Kent ☐ Yes ☒ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

February 20, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 207ACCEPTS RESIGNATION OF DETENTION ATTENDANT IN THE POLICE
DEPARTMENT

COUNCILMAN DENSIESKI offered the following resolution, which was
seconded by COUNCILMAN LULL.

WHEREAS, John Jacobs has notified the Chief of Police of his intent to resign from his position of Detention Attendant with the Police Department effective immediately.

NOW, THEREFORE, BE IT RESOLVED, effective February 20, 2001, the Town Board of the Town of Riverhead hereby accepts the resignation of John Jacobs.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Jacobs, the Chief of Police and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

February 20, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 208ACCEPTS RESIGNATION OF DETENTION ATTENDANT IN THE POLICE
DEPARTMENT

COUNCILMAN TULL offered the following resolution, which was
seconded by COUNCILMAN DENSIESKI.

WHEREAS, Linda Cozell has notified the Chief of Police of her intent to resign from her position of Detention Attendant with the Police Department effective January 31, 2001.

NOW, THEREFORE, BE IT RESOLVED, effective January 31, 2001, the Town Board of the Town of Riverhead hereby accepts the resignation of Linda Cozell; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Linda Cozell, the Chief of Police and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 209

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE (73 SIGAL AVENUE)

Councilman Cardinale offered the following resolution,

which was seconded by Councilman Densieski

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 73 Sigal Avenue, Riverhead, New York also known as Suffolk County Tax Map Number 0600-105.00-02-023.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Peter Pekich, PO Box 2148, West Hempstead, New York 11552 , by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Peter Pekich, PO Box 2148, West Hempstead, New York 11552 ; the Building Department, Kenneth Testa, P.E. and the Office of the Town Attorney.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoAbsent Kent ☐ Yes ☒ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at 73 Sigal Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-105.00-02-023.00 to be cleaned of all rubbish, refuse and other debris and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
February 22, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 210

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS, UNREGISTERED OR JUNKED VEHICLES AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE (54 MILLBROOK LANE)

Councilman Densieski offered the following resolution,

which was seconded by Councilman Cardinale

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 54 Millbrook Lane, Riverhead, New York also known as Suffolk County Tax Map Number 0600-131.00-01-009.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris, unregistered or junked vehicles and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Peter Pekich & Russel Gordon, PO Box 2148, 139 Oakland Avenue, West Hempstead, New York 11552, by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Peter Pekich & Russel Gordon, 139 Oakland Avenue, West Hempstead, New York 11552 ; the Building Department, Kenneth Testa, P.E. and the Office of the Town Attorney.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Absent Kent ☒ Yes ☒ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at 54 Millbrook Lane, Riverhead, New York, further described as Suffolk County Tax Map #0600-131.00-01-009.00 to be cleaned of all rubbish, refuse and other debris and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
February 22, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

02/20/01

TOWN OF RIVERHEAD

Resolution # 211

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE TO CONSIDER THE DEMOLITION OF BUILDING(S) OWNED BY RALPH NASO PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, " UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

Councilman Lull

offered the following resolution,

which was seconded by

Councilman Densieski

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) purportedly owned by Ralph Naso, located at 4600 Middle Country Road, Calverton, New York 11933 known an designed as Suffolk County Tax #0600/097.00-01-080.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Ralph Naso, 4362 Middle Country Road, Calverton, New York 11933, The Code Enforcement Officer, The Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Absent Kent ☒ Yes ☒ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 15TH day of March 2001 at 11:40 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons, to consider whether the owner of real property purportedly owned by Ralph Naso, located at 4600 Middle Country Road, Calverton, New York 11933, known and designated as Suffolk County Tax Map#097.00-01-080.00, should secure the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures " to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
February 9, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 212

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING – SPECIAL PERMIT – SOUND HOUSING, LLC
(WILLOW PONDS ON THE SOUND)**

COUNCILMAN DENSIESKI

offered the following resolution which

was seconded by COUNCILMAN LULL

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Sound Housing, LLC (Willow Ponds on the Sound) to amend an approved special permit (December 16th, 1986) to allow for the construction of a remote sewage treatment facility and a modification of formerly approved recreational facilities to be constructed upon real property located at Sound Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-18-1-1. & 2 – 1. through 222; 18-1-12 & 13; and 4-3-1, and

WHEREAS, the Riverhead Town Board by resolution #1032 of 2000 declared themselves Lead Agency, and

WHEREAS, such petition has been referred to the Riverhead Planning Board for its report and recommendation; and

WHEREAS, the Town Board desires to hold a hearing upon the subject petition pursuant to Section 108-3 of the Town Code, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of March, 2001 at 2:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition from Sound Housing, LLC (Willow Ponds on the Sound) to amend an approved special permit (December 16th, 1986) to allow for the construction of a remote sewage treatment facility and a modification of formerly approved recreational facilities to be constructed upon real property located at Sound Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-18.1-1 & 2 - 1 through 222; 18-1-12 & 13; and 4-3-1.

DATED: February 20, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

2/20/01

TOWN OF RIVERHEAD

AdoptedResolution # 213**ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE****COUNCILMAN CARDINALE** offered the following resolution, was seconded by**COUNCILMAN LULL** :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of February, 2001 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice; and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Highway Department and the Police Department.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, " Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on February 20, 2001 as follows:

§101-8. Weight limits.

No person shall operate a motor vehicle of a total weight of greater than 10,000 pounds upon the following designated town highways or part thereof, except local deliveries.

Street	Location
<u>Fanning Street</u>	<u>From the intersection of Mill Road in an easterly direction to the intersection of JT Boulevard</u>
<u>Hinda Boulevard</u>	<u>From the intersection of Mill Road in an easterly direction to the intersection of Industrial Boulevard</u>
<u>Industrial Boulevard</u>	<u>From the intersection of Mill Road in an east southerly direction to the intersection of JT Boulevard</u>
<u>JT Boulevard</u>	<u>From the intersection of Pulaski Street in a southerly direction to the intersection of Fanning Street continuing in a westerly direction to the intersection of Mill Road</u>

Dated: Riverhead, New York
February 20, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD:

* Underline represents addition(s)

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

AdoptedResolution # 214ADOPTS A LOCAL LAW ADDING A NEW CHAPTER 94 ENTITLED. "TOBACCO
ADVERTISING" TO THE RIVERHEAD TOWN CODECOUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to add a new Chapter 94 entitled, "Tobacco Advertising" to the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of February, 2001 at 7:25 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice; and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law adding a new Chapter 94 entitled, "Tobacco Advertising", to the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further:

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review and to post same on the signboard at Town Hall; and be it further:

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department; the Code Revision Committee and the Town Attorney's Office.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law adding a new Chapter 94 entitled "Tobacco Advertising" to the Riverhead Town Code at its regular meeting held on February 20, 2001.

A copy of the entire text of this local law will be available for review at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, Monday through Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Dated: Riverhead, New York
February 20, 2001.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

TOBACCO ADVERTISING

- §94-1. Legislative Intent and Findings.
- §94-2. Definitions and work usage.
- §94-3. Restrictions.
- §94-4. Exceptions.
- §94-5. Compliance.
- §94-6. Injunctions.
- §94-7.. Severability..
- §94-8. Effective Date..
- §94-9.. Penalties for offenses.
- §94-1.. Legislative Intent and Findings..

The Town Board and the staff of the Town of Riverhead reviewed land use studies of the location of tobacco advertising in proximity to schools, parks and child day care centers. In addition, the Town has examined the actions and codes of other municipalities including the City of New York, the City of Long Beach, the Town of Huntington and the Town of Southold. The Town Board of the Town of Riverhead finds that restricting the exposure of minors to advertising regarding tobacco and tobacco products is constitutional when achieved through reasonable targeted limitations on such advertising in the vicinity of schools and other locations where it is well established that children tend to congregate. It is the intentions of the Town Board to enhance and augment compliance with and enforcement of federal, state local laws prohibiting the sale or distribution of tobacco products to minors, and to protect such minors against such illegal sales.

The Center for Disease Control and Prevention has reported that while the rate of adult smoking of tobacco products has decreased nationwide by fifty percent (50%) between 1971 and 1993, the rate of smoking among all high school students has increased by twenty-six percent (26%) during the years 1991 and 1996, and now stands at the highest rate since 1981. It is further noted that this dramatic increase

has occurred contrary to and at variance with the laws of all fifty states prohibiting sale and distribution of tobacco products to minors, and the pledge of all tobacco product manufacturers to adhere to a voluntary industry code prohibiting advertising of such products in a manner appealing to minors.

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In 1991, a study of the Journal of the American Medical Association concluded that, "...cigarette advertising encourages youth to smoke and should be banned." In 1994, a report of the National Institute of Medicine stated that, "...the substantial convergent evidence that advertising and promotion, increase tobacco use by youth is impressive and ...provided a strong basis for legal regulation." In 1995, a report of the Federal Center for Disease Control and Prevention found that, "...cigarette marketing practices appeared to be the most likely account for [the] increase in teen smoking initiation rates." In 1997, Liggett & Myers, Inc., a cigarette manufacturer, made the following acknowledgement in executing a settlement agreement with the Attorney Generals of 17 states, including the State of New York, "...Liggett acknowledges that the tobacco industry markets to 'youth', which means those under 18 years of age..." Based upon the preponderance of the evidence that tobacco products are advertised and promoted to minors, and that the rate of use of tobacco products by minors has drastically increased contrary to legislation prohibiting the sale or distribution of such products to minors, the Town Board of the Town of Riverhead hereby finds and declares it to be in the best interests of minors residing and/or otherwise present within the Town to enact affirmative, reasonable and constitutionally permissible restrictions on the advertising of tobacco products. By enacting this legislation, it is the intent of the Town Board to promote compliance with an enforcement of federal, state and local laws prohibiting sale or distribution of tobacco products to minors, and therefore, in deference to the protections afforded by the First Amendment to the Constitution of the United States, this legislation has been narrowly drafted to place reasonable time, place and manner restrictions on such advertising in those locations where it is well established that minor tend to congregate, while not imposing restrictions on such advertising clearly directed to adults.

§94-2. Definitions and work usage.

A. Definitions. For the purposes of this section, the following terms shall have the meanings indicated herein, unless specifically indicated otherwise:

CHILD CARE CENTER -Includes the following:

(1) Any child care arrangement, public, private or parochial child care center, school-age child care program, day nursery school, kindergarten, play school or other similar school or service operating pursuant to authorization, license or permit of New York State;

(2) Any facility that provides child care services as defined in §410-p of the New York State Social Services Law;

(3) Any child day care center as defined in §390 of the New York State Social Services Law. Said definition shall apply whether or not care is given for compensation, but shall not include child day care centers located in private dwellings and multiple dwelling units.

CIGARETTE -Includes the following:

(1) Any roll of tobacco wrapped in paper or any other substance not containing tobacco;

(2) Any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco contained therein, or its packaging and labeling is offered for use or purchase as cigarette as described in subdivision (1) herein.

DWELLING -Includes the following:

(1) Multiple Dwelling - Any building or group of buildings designed for or occupied exclusively by three or more families living independently of each other;

(2) Multiple Dwelling Unit - Any separated, independent unit of residential accommodation in a multiple dwelling;

(3) Private Dwelling - Any building or structure or portion thereof that may lawfully be occupied for residential purposes by not more than two families, including the grounds of such building or structure.

PARK - Includes active and passive public lands designated for park purposes by the Town of Riverhead, County of Suffolk, State of New York, United States of America or any other subdivision of government.

PERSON - Any natural person, partnership, co-partnership, firm, company, corporation, limited liability corporation, association, joint stock association or other legal entity.

SCHOOL -Includes buildings, structures, premises or places, together with the grounds thereof, which are used primarily for public or private educational facilities at or below the twelfth grade level, as recognized and defined by the New York State Department of Education, including but not limited to preschool;

TOBACCO- Includes the following:

- (1) Cigarette Tobacco - Includes loose tobacco intended for use in what is commonly advertised as a cigarette;
- (2) Smokeless Tobacco - Includes any cut, ground, powdered, or leaf tobacco that is intended to be placed in a person's mouth;
- (3) Tobacco Product - Includes a cigarette, smokeless tobacco or cigarette tobacco.

TOBACCO PRODUCT ADVERTISEMENT - Includes any written word, picture, logo, symbol, motto, selling message, poster, placard, sign, photograph, device, graphic display or visual image of any kind, recognizable color or pattern of colors, or any others indicia of product identification identical or similar to, or identifiable with, those used for any brand of tobacco product, or any combination thereof, the purpose or effect of which is to promote the use, sale or distribution of a tobacco product through such means as, but not limited to, the identification of a brand of tobacco product, a trademark of a tobacco product or a trade name associated exclusively with a tobacco product.

B. Word Usage. Words used in the singular in this section shall include the plural and vice versa. The word shall is always mandatory.

§94-3. Restrictions.

It shall be unlawful for any person to place, cause to be placed, maintain or cause to be maintained, a tobacco product advertisement in the following manner:

A. In any outdoor area within one thousand feet (1000'), in any direction, or any child day care center, park or school.

B. In the interior of a building or structure which is within one thousand feet (1,000'), in any direction, of any child day care center, park or school when such advertisement is within five feet (5') of any exterior window or any door which is used for entry or egress to the building or structure by the public; except that such advertisements may be placed or maintained in the interior of any such premises where it is parallel to said windows or entry ways and face inward, or affixed to a wall panel or similar fixture that is perpendicular to said windows or entry ways.

§94-4. Exceptions.

A. Nothing in this section shall prevent a tobacco product manufacturer, distributor or retailer from placing, causing to be placed, maintaining or causing to be maintained, its corporate or other business name on such a building or structure, in any location where such building or structure or a portion thereof is owned, operated or leased by them as their principal place of business; provided, however, that said corporate or other business name is properly registered or filed in the United States and/or they are duly authorized to do business in any state, and said corporate or business name does not include any tobacco product advertisement as defined in this section.

B. Nothing contained in this sub-section shall be construed to authorize the placement of any sign, advertising device or tobacco product advertisement in any location where such placement is otherwise prohibited by the Code of the Town of Riverhead or other applicable law.

§94-5. Compliance.

The owner, operator and/or lessee of any location or premises where tobacco product advertisement is prohibited or restricted pursuant to the requirements of this section shall have thirty (30) days from the effective date of this local law to remove any non-compliant tobacco product advertisements.

§94-6. Injunctions.

In addition to any other remedy provided by law, the Town may bring an injunction proceeding to enforce this article.

§94-7. Severability.

In any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

§94-8. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

§94-9. Penalties for offenses.

A violation of any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine not to exceed two hundred and fifty dollars (\$250.) for each offense or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment.

TOWN OF RIVERHEAD

AdoptedResolution # 215AMENDS RESOLUTION #774ANDRATIFIES APPOINTMENT OF A P/T RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN CARDINALE offered the following resolution,
which was seconded by COUNCILMAN DENSIESKI

RESCIND, Resolution # 774 which, was adopted by this Town Board on September 6, 2000.

RESOLVED, that Shirley Darling is hereby appointed to serve as a P/T Recreation Aide with the working title of Tennis Instructor effective, October 1, 2000 to and including, December 31, 2000 to be paid at the rate of \$25.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

12/20/00

Adopted

TOWN OF RIVERHEAD

Resolution # 216**AUTHORIZES TOWN OF RIVERHEAD TO TRANSFER SURPLUS
AMBULANCE TO MATTITUCK FIRE DISTRICT**

COUNCILMAN LULL offered the following resolution, was seconded
by

COUNCILMAN DENSIESKI :

WHEREAS, The Town of Riverhead owns a white 1985 Ford vehicle which has been utilized by the Town of Riverhead as an ambulance for the past fifteen years, vehicle identification number 1FDKE30LXFHB84975; and

WHEREAS, said vehicle is aging and no longer cost effective to maintain and repair, has been replaced and is no longer in service, and has been deemed surplus property of the town; and

WHEREAS, The Mattituck Fire District, a signatory to a mutual aid agreement with the Town of Riverhead, and experiencing an acute shortage of operable ambulance vehicles, has inspected the vehicle and has determined that said vehicle would be useful to the fire district.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby declares the aforesaid vehicle, Vehicle Identification Number 1FDKE30LXFHB84975 as surplus property of the Town of Riverhead and further gifts said vehicle to the Mattituck Fire District; and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Riverhead is authorized to execute and transfer title, and Jack Hansen, Director of Accounting of the Town of Riverhead is authorized to take the appropriate steps necessary to transfer possession to said vehicle to the Mattituck Fire District; and

BE IT FURTHER RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to the Riverhead Town Supervisor, the Commissioners of the Mattituck Fire District, Jack Hansen, Director of Accounting of the Town of Riverhead and the Riverhead Town Attorney.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

WLS 037

CERTIFICATE OF TITLE

NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES

Title and Vehicle Ident. No.	Year	Make	Body Type	Color	Document No.
1FDKE30LXFHB84973	1985	FORD	SUBN	WH	065691A
Weight or Seats	Fuel	Cyl.	New or Used		Date Issued
4340	GAS	6	NEW		12/25/85

Name and Address of Vehicle Owner(s)

TOWN OF RIVERHEAD
 200 HOWELL AV
 RIVERHEAD NY 11901

This document is proof of your ownership of this vehicle. Keep it in a safe place, not with your license or registration or in your car. To dispose of your vehicle, complete the transfer section on the reverse and give the title to the new owner.

PATRICIA B. ADDUCI
 Commissioner

Lienholder _____

Lienholder _____

Lienholder _____

Lienholder _____

MV-999 (11/84)

VOID IF ALTERED

TOWN OF RIVERHEAD

Resolution # 217

AMENDING RESOLUTION # 1145-2000
REQUEST FOR SUFFOLK COUNTY
TO PURCHASE LAND IN SOUTH JAMESPORT

Councilman Densieski offered the following resolution,

which was seconded by Councilman Lull

WHEREAS, the Town Board of the Town of Riverhead has an opportunity to enhance its recreational facilities by the acquisition, through Suffolk County Land Preservation Partnership Program, of properties identified as Suffolk Tax Map Number 0600-092-04-004.1 and 060-092-04-005 in South Jamesport (Miamogue Point), totaling approximately 3.7 acres; and

WHEREAS, the Suffolk County Land Preservation Partnership Program enables Suffolk County to provide fifty percent (50%) of the funds needed to purchase land from a willing seller where there shall be an agreement by a municipality to provide fifty percent (50%) with the municipality or local organization providing for long-term management of the property and the installation and programming of recreational facilities thereon; and

WHEREAS, to initiate County acquisition of the subject properties under the Suffolk County Land Preservation Partnership Program, the Town Board of the Town of Riverhead must resolve its support and long-term assurance for continued recreational site use.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead does and hereby requests the County of Suffolk to acquire the parcels

identified on the Suffolk County Tax Map as District 0600, Section 092, Block 04, Lot 001; District 0600, Section 092, Block 04, Lot 004.1; and District 0600, Section 092, Block 04, Lot 005, pursuant to Section 12A-1(A) (2) of the SUFFOLK COUNTY CHARTER for use of active parklands under the Suffolk County Land Preservation Partnership Program; and

BE IT FURTHER, RESOLVED, that the Town Board of the Town of Riverhead does and hereby agrees and commits to maintain said property, upon acquisition by the County of Suffolk (50%) and the Town of Riverhead (50%), for the agreed upon use of public beach use in addition to constructing a permanent self-contained comfort station with showers and parking; and

BE IT FURTHER, RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Supervisor to enter into such agreements as shall be necessary and proper to provide the improvements for the above described land for the above described recreational purposes; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to send a certified copy of this resolution to Suffolk County Legislator Michael Caracciolo; the property owners, the Suffolk County Department of Real Property and the South Jamesport Civic Association.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Absent
Kent ☐ Yes ☒ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

2/20/01

TOWN OF RIVERHEAD

Resolution # 218

**APPROVES SPECIAL PERMIT APPLICATION OF EDWARD
PARTRIDGE (T.S. HAULERS, INC.)**

COUNCILMAN LULL offered the following
resolution, which was seconded by
COUNCILMAN CARDINALE:

WHEREAS, an application was submitted to the Town Board for a special permit pursuant to §§ 108-3 and 108- 45(B)(6) to allow the operation of a "wholesale business" to include mining, and sand and gravel processing upon real property located at Route 25, Calverton; such real property more particularly described as SCTM No. 0600-9-1-16.3; and

WHEREAS, such special permit petition was filed pursuant to a stipulation of the New York Supreme Court in the proceeding entitled "Town of Riverhead v. T.S. Haulers, Inc.", (Index No. 97-10327), and

WHEREAS, pursuant to the order of the Supreme Court of the State of New York dated May 10, 1999 (Hall, J.), the Town of Riverhead was directed to consider the applicant's special permit petition under "Section 108-45(B)(6) of the Riverhead Town Code ..." and

WHEREAS, pursuant to SEQRA, the Department of Environmental Conservation sought lead agency status in connection with the special permit petition and the Town Board conceded lead agency status to the Department of Environmental Conservation, and

WHEREAS, the Department of Environmental Conservation has issued a negative declaration pursuant to 6 NYCRR 617.7 and on February 23, 1998, issued the applicant a permit pursuant to Article 23 of the Environmental Conservation Law, and

WHEREAS, by resolution No. 392 of 2000, the Town Board did refer the special permit petition to the Town of Riverhead Planning Board for its report and recommendation, and

WHEREAS, on June 1, 2000, the applicant appeared before the Planning Board in connection with its special permit petition, and

WHEREAS, by memo dated June 28, 2000, the Planning Board reported to the Town Board that the special permit petition and

supporting documents were deficient and that this Board would reserve its report until such time as the identified deficiencies were corrected, and

WHEREAS, thereafter, counsel to the applicant provided the Planning Board with the documents necessary to complete the special permit petition, and

WHEREAS, the Riverhead Planning Board, by resolution dated November 3, 2000, setting forth its findings, resolved to recommend that the Town Board deny the special permit petition of Edward Partridge (T.S. Haulers, Inc.) based upon its determination that "the operation proposed does not meet the operative definition of "wholesale business, nonnuisance" in that the instant petition and operation would result in both the outdoor storage and outdoor processing of mined materials, and

WHEREAS, on November 21, 2000, a public hearing was held on the special permit petition of Edward Partridge (T.S. Haulers, Inc.) before the Town Board at which all testimony was given under oath, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the recommendation of the Riverhead Planning Board, the sworn testimony given at the public hearing, as well as all relevant planning, zoning and environmental information,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby finds:

FIRST: That the subject premises lies within the Industrial A Zoning Use District;

SECOND: That the petition describes a land use which involves the mining of sand and gravel, the screening and processing of said materials, and the transportation of refined materials off site;

THIRD: That at the time of the issuance of the Mined Land Reclamation Permit by the New York State Department of Environmental Conservation, the Industrial A Zoning Use District did not specifically call out either mining or processing of mined materials as either permitted or specially permitted uses;

FOURTH: That in Appeal No. 97-52, the Town of Riverhead Zoning Board of Appeals, interpreted the current mining and processing operation to be a "wholesale, business, nonnuisance" land use which is a permitted use in the Industrial A Zoning Use District;

FIFTH: That the applicant has met the requirements of Town Law §274-b for the issuance of the special permit in that the proposed special permit use is in harmony with the existing zoning and that it will not adversely affect the neighborhood.

BE IT FURTHER,

RESOLVED, that based upon its findings, the Town Board of the Town of Riverhead hereby approved the special permit of Edward Partridge (T.S. Haulers, Inc.) as the a "wholesale business, non-nuisance" industry, and

BE IT FURTHER,

RESOLVED, that copies of this resolution be forwarded to the Planning Department, Town Attorney, Building Department, Edward Partridge (T.S. Haulers, Inc.) and Peter Danowski, Esq.

THE VOTE

Densleek	<u>Abstain</u>	Yes	No	Cardinale	Yes	No
Kent	<u>Abstain</u>	Yes	No	Lull	Yes	No
Kozakiewicz		Yes	No			

THE RESOLUTION WAS WAS NOT X

THEREUPON DULY ADOPTED

Adopted

February 20th, 2001

TOWN OF RIVERHEAD

Resolution # 219

APPROVES AMENDED SITE PLAN OF TRADITIONAL LINKS, LLC (FRIAR'S HEAD FARM)

COUNCILMAN DENSTESKI offered the following resolution,
which was seconded by COUNCILMAN CARDINALE:

WHEREAS, Kenneth Bakst representing Traditional Links, LLC did submit an application for site plan approval in order to amend an existing site plan approval for an 18 hole golf course approved by the Riverhead Town Board by Resolution Number 118 of 2000, upon real property located at Sound Avenue, Baiting Hollow, New York, SCTM#0600-04-01-010.5; and

WHEREAS, such amendment would allow for a minimal disturbance within a designated non-disturbance area located at the western portion of the premises and for the construction of an irrigation pond and pump house at the southerly extreme of the property for a cart path; and

WHEREAS, the Planning Department has reviewed the golf course clearing and grading plan dated January 21st, 2000 and revised February 2nd, 2001, as prepared by Gerhard Martin Schwalbe, P.E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED ⁴⁰⁰

RESOLVED, That in the matter of the site plan application of Traditional Links, LLC, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Traditional Links, LLC, located North of Sound Avenue, between Horton and Osborne Avenue, Riverhead, New York 11901; Golf Course Clearing and Grading Site Plan North and South dated January 21st 2000 and revised February 2nd, 2001, as prepared by Gerhard Martin Schwalbe, P.E., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Traditional Links, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at North of Sound Avenue, between Horton and Osborne Avenue, Riverhead, New York 11901, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That prior to the installation of the PVC liner in the proposed pond, a final plan and section be submitted to the Riverhead Planning Department for the endorsement of the Planning Director, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Traditional Links, LLC, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2000, made by Traditional Links, LLC, residing at 2975 Sound Avenue, Riverhead, New York 11901, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Traditional Links, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at North of Sound Avenue, between Horton and Osborne Avenue, Riverhead, New York 11901, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

Traditional Links, LLC

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, _____ personally _____ appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

Councilman Lull offered the following Resolution which was seconded by
Councilman Cardinale

FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 449,913.49	\$ 449,913.49
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ 147.96	\$ 147.96
RECREATION PROGRAM	006	\$ -	\$ 1,273.13	\$ 1,273.13
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,654.49	\$ 2,654.49
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 1,197.34	\$ 1,197.34
HIGHWAY	111	\$ -	\$ 47,150.84	\$ 47,150.84
WATER	112	\$ -	\$ 40,331.36	\$ 40,331.36
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 54,050.07	\$ 54,050.07
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 6,189.94	\$ 6,189.94
STREET LIGHTING	116	\$ -	\$ 6,127.74	\$ 6,127.74
PUBLIC PARKING	117	\$ -	\$ 3,120.09	\$ 3,120.09
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 4,000.00	\$ 4,000.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 3.13	\$ 3.13
CALVERTON SEWER DISTRICT	124	\$ -	\$ 4,098.14	\$ 4,098.14
WORKER'S COMPENSATION FUND	173	\$ -	\$ 34,085.55	\$ 34,085.55
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 389,629.24	\$ 389,629.24
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ 2,805.78	\$ 2,805.78
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 2,784.70	\$ 2,784.70
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 100,000.00	\$ 100,000.00
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 76,632.83	\$ 76,632.83
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 1,761.23	\$ 1,761.23
SENIORS HELPING SENIORS	463	\$ -	\$ 1,759.39	\$ 1,759.39
RISEP	454	\$ -	\$ 955.53	\$ 955.53
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	626	\$ -	\$ 6,568.53	\$ 6,568.53
MUNICIPAL GARAGE	626	\$ -	\$ 9,587.98	\$ 9,587.98
TRUST & AGENCY	735*	\$ -	\$ 717,595.62	\$ 717,595.62
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 2,987.66	\$ 2,987.66
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 12,577.60	\$ 12,577.60
CENTRAL CLEARING ACCOUNT	989	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 1,978,979.36	\$ 1,978,979.36

**FUND 735 INCLUDES 2000-2001 SCHOOL/TOWN TAXES OF \$170,000